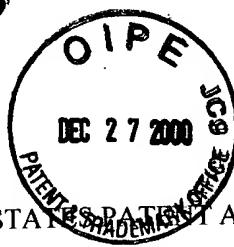


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



ATTORNEY'S DOCKET NO. C1039/7035

Applicant: Krieg et al.
Serial No: 09/669,187
Filed: September 25, 2000
For: IMMUNOSTIMULATORY NUCLEIC ACIDS
Examiner: Not Assigned
Art Unit: 1646

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Missing Parts, the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the 21st day of December, 2000.

Maryanne Trevisan
Maryanne Trevisan

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO THE NOTICE TO FILE MISSING PARTS

This is in response to the Notice to File Missing Parts of application mailed from the United States Patent and Trademark Office on November 16, 2000.

Attached are Declarations and Power of Attorney executed by all of the inventors, as well as a Preliminary Amendment.

Also attached is a check in the amount of \$3,240.00.00 to cover the cost of the filing fee, extra claims and the surcharge for filing a late Declaration and Power of Attorney.

Accordingly, Applicants believes that this document is responsive to the Notice to File Missing Parts.

Serial No: 09/669,187

-2-

If any other information is needed, please contact the undersigned attorney by phone (617-720-3500, Ext. 232) to expedite the further prosecution of this patent application.

Respectfully submitted,

WOLF, GREENFIELD & SACKS, P.C.

By


Helen C. Lockhart (Reg. No. 39,248)
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
Attorneys for Applicant(s)
Tel. no. (617) 720-3500

ATTORNEY'S DOCKET NO.: C1039/7035

Date: December 21, 2000

X01/16/01

Inventor(s): Krieg, et al.

Serial No: 09/669,187

Filed: September 25, 2000

For: IMMUNOSTIMULATORY NUCLEIC ACIDS



CHECK BOX, if applicable:

 DUPLICATE

Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	Fee
	TOTAL CLAIMS (37 CFR 1.16(c))	100-20=	80x	\$ 18	= \$ 1,440.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	15-3=	12 x	\$ 80	= \$ 960.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 710.00
	Fee for Petition for Extension of Time (if any)			\$	
			Total of above Calculations =	\$	3,110.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).			\$	
	Assignment Recordation Fee (if any)			\$	
	Other Fees (if any).			\$	130.00
				TOTAL =	\$ 3,240.00

1. A check in the amount of \$3,240.00 is enclosed.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ 1.16 1.17 or 1.18, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ 1.16 1.17 or 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

Helen C. Lockhart, Reg. No. 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
(617) 720-3500
Attorneys of Record

Docket No. C1039/7035 (HCL/MAT)
Date: December 21, 2000



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/669,187	09/25/2000	Arthur M. Krieg	C1039/7035 (HCL/MAT)

Helen C Lockhart
 Wolf Greenfield & Sacks P C
 600 Atlantic Ave
 Boston, MA 02210



FORMALITIES LETTER



Date Mailed: 11/16/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$6512.
 - \$5472 for 304 total claims over 20.
 - \$780 for 10 independent claims over 3 .
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 7332.

710.00	00	00	00
130.00	00	00	00
960.00	00	00	00
1440.00	00	00	00

09/669187

01/02/2001 KZENDIE 00000002-09669187

01	FC:101
02	FC:105
03	FC:102
04	FC:103

11/15/00

A copy of this notice MUST be returned with the reply.

U. Wilkinson

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ATTORNEY'S DOCKET NO. C1039/7035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No: 09/669,187
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For: IMMUNOSTIMULATORY NUCLEIC ACIDS
Examiner: Not Assigned

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the BOX Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on the 21st day of December, 2000.

Maryanne Trevisan

Maryanne Trevisan

BOX Missing Parts
Commissioner for Patents
Washington, D.C. 20231
Sir:

Transmitted herewith are the following documents:

- Response to Notice to File Missing Parts
- Copy of Notice to File Missing Parts
- Preliminary Amendment
- Executed Declaration and Power of Attorney for Arthur M. Krieg, Christian Schetter and Jorg Vollmer
- Fee Calculation Sheet
- Check for \$3,240.00 (Filing Fee \$710.00, 80 claims \$1,440.00, 12 independent claims \$960.00, Surcharge for late Declaration \$130.00)
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

A check for \$3,240.00 is enclosed. If any further fee is determined to be due the Examiner is authorized to charge said fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully yours,

Helen Lockhart

Helen C. Lockhart Reg. No. 39,248
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500
Facsimile: (617) 720-2441

C1039/7035 (HCL/MAT)
Date: December 21, 2000
X 01/16/01

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